

KAUAI PLANNING COMMISSION
REGULAR MEETING

Tuesday, May 24, 2016

9:00 a.m. or Soon Thereafter
Līhu'e Civic Center, Moikeha Building
Meeting Room 2A-2B
4444 Rice Street, Lihue, Kauai, Hawai'i

AGENDA

- A. **CALL TO ORDER**
- B. **ROLL CALL**
- C. **APPROVAL OF AGENDA**
- D. **MINUTES of the meeting(s) of the Planning Commission**
 - 1. Regular Meeting of April 26, 2016
 - 2. Special Meeting of May 2, 2016
- E. **RECEIPT OF ITEMS FOR THE RECORD**
- F. **HEARINGS AND PUBLIC COMMENT** (Noticed hearings will not commence until 9:00 a.m. or soon thereafter.) Individuals may orally testify on items on this agenda during the Public Comment Period. Please call the Planning Department prior to the meeting or notify Commission Staff at the meeting site. Testimony shall also be accepted when the agenda item is taken up by the Commission. However if an individual has already testified during this period, additional testimony at the agenda item testimony may be allowed at the discretion of the Chair. Testifiers shall limit their testimony to three (3) minutes, but may be extended longer at the discretion of the Chair. Written testimony is also accepted. An original and twelve (12) copies of written testimony can be hand delivered to the Planning Department or submitted to Commission Staff at the meeting site.
 - 1. **Continued Agency Hearing** (NONE)
 - 2. **New Agency Hearing** (NONE)
 - 3. **Continued Public Hearing** (NONE)
 - 4. **New Public Hearing** (NONE)
 - 5. **All remaining public testimony pursuant to HRS 92 (Sunshine Law)**

G. CONSENT CALENDAR

1. **Status Reports** (NONE)
2. **Director's Report(s) for Project(s) Scheduled for Agency Hearing on 6/14/16.**
(NONE)

H. EXECUTIVE SESSION

1. Pursuant to Hawaii Revised Statutes Sections 92-5(a)(2 and 4), the purpose of this executive session is to discuss matters pertaining to the evaluation of the Planning Director and the Director's compensation. This session pertains to the Planning Director's evaluation where consideration of matters affecting privacy will be involved. Further, to consult with legal counsel regarding powers, duties, privileges and/or liabilities of the Planning Commission as it relates to the evaluation of the Planning Director.

I. GENERAL BUSINESS MATTERS

1. Hearing Officer's Report and Recommendation of Contested Case Hearing; Certificate of Service relating to CC-2015-6, TVRNCU #1356, Tax Map Key (4) 1-3-001:083 = ***Ian Cronshaw and Anna Cronshaw*** and CC-2015-7, TVRNCU #1357, Tax Map Key (4) 1-3-001:094 = ***Ian Cronshaw and Anna Cronshaw***.
2. Hearing Officer's Report and Recommendation of Contested Case Hearing; Certificate of Service relating to CC-2014-5, TVRNCU #14263-P, Tax Map Key (4) 5-2-004:098 = ***Rene O. Campos***.
3. Amendment to Class IV Zoning Permit Z-IV-2012-9 and Variance Permit V-2012-6 to allow construction of a storage building and ADA improvements at the Kapaa New Town Park (KTNP), further identified as Tax Map Key (4) 4-5-015:032, Kapaa, Kauai = ***County of Kauai, Department of Parks and Recreation***.
 - a. Director's Report pertaining to this matter.
4. Request for Reconsideration of Decision relating to Special Management Area Use Permit SMA(U)-2016-3, Class IV Zoning Permit Z-IV-2016-12, Use Permit U-2016-10 for the construction of two (2) portable classroom buildings and associated improvements on the Hanalei Elementary School campus, and Variance Permit V-2016-2 to deviate from the land coverage requirements within the Open (O) zoning district, pursuant to Section 8-9.2(a) of the Kauai County Code (1987), further identified as 5-5427 Kuhio Highway, Tax Map Key 5-5-006:018, and affecting a portion of a larger parcel approx. 3.7 acres in size – ***State of Hawaii, Department of Education***. [Director's Report received 4/26/16, hearing and approved on 5/10/16.]
 - a. Letter (5/16/16) from Jamie DeBonet.
 - b. Letter (5/17/16) from Nick Beck.
 - c. Letter (5/17/16) from Barbara Robeson.
 - d. Letter (5/17/16) from Robyn DeBonet.
 - e. Letter (5/17/16) from Ashley Jones.
 - f. Letter (5/17/16) from Carl Imperato.
 - g. Letter (5/17/16) from Neil Dana.
 - h. Letter (5/17/16) from Tom Austin.
 - i. Letter (5/17/16) from Matthew Hall.
 - j. Letter (5/17/16) from Brent King.
 - k. Letter (5/18/16) from Selina Satterlee.
 - l. Letter (5/18/16) from Nancy Graeme.

J. COMMUNICATION (For Action)

K. COMMITTEE REPORTS

1. **Subdivision** Subdivision Action matters listed in the Subdivision Committee Agenda (attached).

L. UNFINISHED BUSINESS (For Action)

1. Planning Director Michael A. Dahilig's Petition to Modify or Revoke Applicant Coco Palms Hui, LLC's Permits and Issue and Order to Show Cause and Set Hearing; Memorandum in Support of Petition; Declaration of Michael A. Dahilig; Notice of Meeting; Certificate of Service for Class IV Zoning Permit Z-IV-2015-8, Project Development Use Permit PDU-2015-7, Variance Permit V-2015-1 and Special Management Area Use Permit SMA(U)-2015-6 = ***Coco Palms Hui, LLC***.
 - a. Status Report including Investigative Report.
 - b. PR II Coco Palms, LLC's Petition to Intervene; Memorandum in Support of Petition; Declaration of Jennifer A. Lim; Exhibits 1 to 2; Certificate of Service (2/12/16).
 - c. Set Hearing Date
[Deferred 2/23/16, deferred 4/26/16.]
 - d. Letter (5/9/16) from Jennifer A. Lim, Attorney for Petitioner PR II Coco Palms LLC ("Prudential"), submitting its written confirmation of Prudential's withdrawal of its Petition to Intervene.

M. NEW BUSINESS

1. **For Action – See Agenda F for Project Descriptions**

N. ANNOUNCEMENTS

1. Topics for Future Meetings
2. The following scheduled Planning Commission meeting will be held at 9:00 a.m., or shortly thereafter at the Lihue Civic Center, Moikeha Building, Meeting Room 2A-2B, 4444 Rice Street, Lihue, Kauai, Hawaii 96766 on **Tuesday, June 14, 2016**.

O. ADJOURNMENT

EXECUTIVE SESSION: The Commission may go into an executive session on an agenda item for one of the permitted purposes listed in Section 92-5(a) Hawaii Revised Statutes ("H.R.S."), without noticing the executive session on the agenda where the executive session was not anticipated in advance. HRS Section 92-7(a). The executive session may only be held, however, upon an affirmative vote of two-thirds of the members present, which must also be the majority of the members to which the board is entitled. HRS Section 92-4. The reason for holding the executive session shall be publicly announced.

NOTE: Special accommodations and sign language interpreters are available upon request five (5) days prior to the meeting date, to the County Planning Department, 4444 Rice Street, Lihue, Hawaii 96766. Telephone: 241-4050.

KAUA'I PLANNING COMMISSION
SUBDIVISION COMMITTEE MEETING
Līhu'e Civic Center, Mo'ikeha Building
Meeting Room 2A-2B
4444 Rice Street, Līhu'e, Hawai'i 96766

Tuesday, May 24, 2016, 8:30 A.M.

AGENDA

- A. CALL TO ORDER**
- B. ROLL CALL**
- C. APPROVAL OF AGENDA**
- D. MINUTES of the meeting(s) of the Subdivision Committee (None)**
- E. RECEIPT OF ITEMS FOR THE RECORD (None)**
- F. HEARINGS AND PUBLIC COMMENT**

Individuals may orally testify on items on this agenda during the Public Comment Period. Please call the Planning Department prior to the meeting or notify Commission Staff at the meeting site. Testimony may also be accepted when the agenda item is taken up by the Commission at the discretion of the Chair. Testifiers shall limit their testimony to three (3) minutes, but may be extended longer at the discretion of the Chair. Written testimony is also accepted. An original and twelve (12) copies of written testimony can be hand delivered to the Planning Department or submitted to Commission Staff at the meeting site.

- G. GENERAL BUSINESS MATTERS (None)**
- H. UNFINISHED BUSINESS (None)**
- I. NEW BUSINESS (For Action)**

- 1. Tentative Subdivision Approval
 - a. Subdivision Application No. S-2016-18
(ANN MURAKAMI)
Proposed 3-lot Subdivision
TMK: (4) 4-1-05:017 & 018
Wailua, Kaua'i
- 1. Subdivision Report pertaining to this matter.

I. NEW BUSINESS (Continued)

2. Final Subdivision Map Approval

- a. Subdivision Application No. S-2014-20
(MARILYN PLANAS & FRANCES FINAU)
Proposed 2-lot Subdivision
TMK: (4) 2-3-03:018 & (4) 2-3-03:019
Kalāheo, Kauaʻi

- 1. Subdivision Report pertaining to this matter.

J. ADJOURNMENT

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Pursuant to Section 8-27.8 (6) of the Kaua'i County Code (1987), as amended, the following shoreline setback determinations by the Director are disclosed for purposes of public notification.

May 24, 2016

SHORELINE SETBACK DETERMINATIONS

Application No.	Name of Applicant(s)	Property I.D. (Tax Map Key)	Location	Reasons
SSD-2016-65	Ross & Cynthia Link	4-7-007:002	Kealia	New SFR, garage, shed and pool
SSD-2016-66	Islander on the Beach	4-3-002:013	Waipouli	Parking lot renovations
SSD-2016-67	Kauai Kookie, Inc.	2-1-003:004	Port Allen	Interior Renovation
SSD-2016-68	Jennifer Cote	2-6-005:014	Poipu	Interior Renovation
SSD-2016-69	Kahu'aina Holdings, LLC	5-1-003:005	Kilauea	New Farm Dwelling